

**DRAFT MINUTES
BOARD OF ADJUSTMENTS AND APPEALS
Regular Session
TOWN OF CAMP VERDE
473 S. MAIN STREET, CAMP VERDE, AZ 86322
TUESDAY, FEBRUARY 9, 2016
3:00 PM
COUNCIL CHAMBERS**

1. Call to Order

Due to unforeseen circumstances Council Chambers, Room 106, was unavailable for this meeting. The meeting was moved to Room 102 at 2:50PM and a sign was placed on the door of Council Chambers to direct members of the public to the alternative meeting location.

Chairman Binick called the meeting to order at 3:00PM.

2. Roll Call

Present is Chairman Binick and Board Members Greg Blue, Murray Lichty, Doug Stevens, Buck Buchanan, BJ Davis, and Ben Bassous.

Also present is Community Development Director Michael Jenkins, Assistant Planner/Recording Secretary Kendall Welch, Building Official Robert Forman, and Residential Building Inspector Emily Diver.

3. Pledge of Allegiance

Chairman Binick led the pledge.

4. Consent Agenda – All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of the Board so requests.

a. Approval of Minutes

October 13, 2015 – Regular Session

b. Set Next Meeting, Date and Time

As Needed

A motion to approve the consent agenda as presented was made by Board Member Blue. The motion was seconded by Board Member Lichty. All Board Members are in favor and the motion passes unanimously.

5. Call to the Public for items not on the Agenda

Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Board from taking any action on items not on the agenda, except to set them for Consideration at a future date.

There were no comments from the public.

6. Election of Officers

Chairman Binick welcomed the new members, Davis and Bassous, to the Board.

Board Member Blue made a motion to nominate Board Member Binick to remain as Chairman, and Board Member Davis to serve as Vice Chairman. The motion was seconded by Board Member Buchanan. Chairman Binick abstains from voting for Chairman, and votes yes to Davis as Vice Chairman. Board Member Davis abstains from voting for Vice Chairman, and votes yes to Binick as Chairman. The remaining Board Members are all in favor. Motion passes.

7. Presentation and Discussion on Appeals to the Board as related to the Planning & Zoning Ordinance. Staff Resource: Community Development Director, Michael Jenkins

Community Development Director Michael Jenkins gave a brief presentation to the Board regarding the Planning & Zoning Ordinance in relation to the Board of Adjustment/Board of Appeals. Jenkins explained to the Board that the Board is a quasi-judicial board, and that any aggrieved decisions made by the Board are heard before Superior Court. Jenkins gave a brief overview of variances, and explained that variances cannot be self-imposed. Jenkins concluded by stating that the Board of Adjustments/Board of Appeals is a dual board that also will hear building matters, i.e. persons that are aggrieved with decisions, interpretations, made by the Building Official.

Vice Chairman Davis asked Jenkins if there was any conflict of interest between members who serve on both the Board of Adjustments/Board of Appeals and the Planning & Zoning Commission. Jenkins stated that there is no conflict of interest as persons with aggrieved decisions made by the Planning & Zoning Commission, just like Board of Adjustment/Board of Appeals are heard in Superior Court, and not by the Board of Adjustment/Board of Appeals.

Chairman Binick asked Jenkins if there were any monies available to the Board to attend seminars or training hosted at events such as League of Cities & Towns. Jenkins stated that the Community Development Department will be requesting funds in the FY 16/17 budget for Board Members to attend training events.

8. Presentation and Discussion on Appeals to the Board as related to the 2012 Building Codes. Staff Resource: Building Official, Robert Foreman

Building Official Robert Foreman gave a brief presentation to the Board in regards to the adopted building codes. Foreman explained to the Board that the Board does not have the ability to waive code requirements. However, Foreman did explain that the Board can make a recommendation to Town Council if warranted, to amended adopted codes. Foreman also added that Town Code allows the Board to consult with the Town Attorney, or other experts, in order to render their decision.

Chairman Binick added that he would like to request that the Town Attorney be at least available by phone in order to answer any questions that may come up when there are actual items on the agenda.

There Will Be No Public Input On The Following Items:

- 9. Current Events:** (Individual members of the Board may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Board will have no discussion, consideration, or take any action on any such item, except that an individual Board member may request an item be placed on a future agenda.)

There were no current events discussed.

10. Adjournment

A motion to adjourn the meeting was made by Board Member Buchanan. The motion was seconded by Board Member Blue. All Board Members are in favor and the motion passes unanimously. The meeting was adjourned at 3:18PM.

Jim Binick – Board of Adjustment and Appeals Chairman

Date

Michael Jenkins – Community Development Director

Date

CERTIFICATION: I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Board of Adjustments and Appeals of the Town of Camp Verde during the Regular Session of the Board of Adjustments and Appeals of the Town of Camp Verde, Arizona held on the 4th day of February, 2016. I further certify that the meeting was duly called and that a quorum was present.

Dated this ____ Day of _____ 2016.

Kendall Welch – Recording Secretary